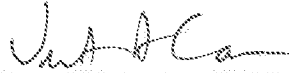


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Di Serio **Confirmation No.:** 9212
Serial No.: 10/035,018 **Group Art Unit:** 3725
Filed: December 27, 2001 **Examiner:** Lowell A. Larson
Title: METHOD FOR MANUFACTURING MOLDED THEN FORGED PARTS
COMPRISING ONE OR MORE RECESSES AND THE IMPLEMENTATION
INSTALLATION THEREOF

CERTIFICATE OF ELECTRONIC TRANSMISSION

*I hereby certify that this correspondence is being electronically transmitted to
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on
October 7, 2008.*



*Victor A. Cardona
Attorney for Appellant
Registration No. 44,589*

Date of Signature: October 7, 2008

To: Commissioner for Patents
United States Patent and Trademark Office
Office of Finance – Refund Section
Box 17
Washington, D.C. 20231

REQUEST FOR REFUND

Sir:

This paper is a request for a refund for an overcharge for the filing of the Appeal Brief with respect to the above-identified application.

The above-identified patent application was initially filed as a large entity on December 27, 2001. On October 13, 2003 the applicant advised that they now had less than 400 employees, and were entitled to small entity status. All filings with the U.S. Patent and Trademark Office following October 13, 2003, through January 21, 2007 were filed claiming small entity status.

Applicant inadvertently paid the large entity filing fee of \$500.00 for the filing of the Notice of Appeal on January 22, 2007, however such error was not caught in sufficient time in which to request a refund of the \$250.00 overpayment.

On March 20, 2007 applicant filed an Appeal Brief to the Board of Patent Appeals and Interferences, and paid the correct small entity filing fee for the appeal brief in the amount of \$250.00.

On September 20, 2007, applicant filed a Reply to the Examiner's Answer, mailed on September 13, 2007. No filing fee was required for the Reply Brief.

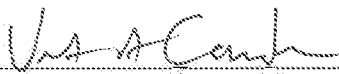
On February 19, 2008, U.S. Deposit Account No. 08-1935 was refunded \$250.00 (fee code 2402) for the Appeal Brief filing fee, and charged \$500.00 for the Appeal Brief Filing Fee (fee code 1402), as evidenced by the attached copy of the February statement.

As the applicant was correctly entitled to claim small entity status, the undersigned respectfully requests that a refund in the amount of \$250.00 be made to U.S. Deposit Account No. 08-1935 for the overcharge of the Appeal Brief filing fee with respect to this matter.

If a telephone conference would be of assistance in advancing refund of the subject application, please contact Applicants undersigned attorney at the to telephone him at the number provided.

Respectfully submitted,

Dated: October 7, 2008



Victor A. Cardona, Esq.
Attorney for Applicant
Registration No. 44,589

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579

cc: Accounting



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: February 2008
Deposit Account Number: 081935
Name: HESLIN & ROTHENBERG P C
Attention:
Street Address 1: 5 COLUMBIA CIRCLE
Street Address 2:
City: ALBANY
State: NY
Zip: 12203
Country: UNITED STATES

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02/20 3686	12033545	0794.078A	2201	\$315.00	\$10,943.88
02/20 3725	12033548	0545.051A	4011	\$75.00	\$10,868.88
02/20 3727	12033548	0545.051A	2311	\$105.00	\$10,763.88
02/20 3726	12033548	0545.051A	2111	\$255.00	\$10,508.88
02/20 4514	11101861	0794.056	2801	\$405.00	\$10,103.88
02/20 4775	12064198	1955.006 (P2560US00)	2631	\$155.00	\$9,948.88
02/20 4776	12064198	1955.006 (P2560US00)	2642	\$205.00	\$9,743.88
02/20 4777	12064198	1955.006 (P2560US00)	2633	\$105.00	\$9,638.88
02/20 5557	12064204	1955.005 (P2606US00)	2631	\$155.00	\$9,483.88
02/20 5558	12064204	1955.005 (P2606US00)	2642	\$205.00	\$9,278.88
02/20 5559	12064204	1955.005 (P2606US00)	2633	\$105.00	\$9,173.88
02/20 6070	11501329	2035.019A	1501	\$1,440.00	\$7,733.88
02/20 6071	11501329	2035.019A	1504	\$300.00	\$7,433.88
02/20 6072	11501329	2035.019A	8001	\$30.00	\$7,403.88
02/20 10283	12033919		4011	\$75.00	\$7,328.88
02/20 10285	12033919		2311	\$105.00	\$7,223.88
02/20 10284	12033919		2111	\$255.00	\$6,968.88
02/20 10565	12033919	2820.007	8021	\$40.00	\$6,928.88
02/20 11054	10490597	2582.023	2501	\$720.00	\$6,208.88
02/20 11055	10490597	2582.023	1504	\$300.00	\$5,908.88
02/20 11056	10490597	2582.023	8001	\$30.00	\$5,878.88
02/20 11390	11963106	2035.049	8021	\$40.00	\$5,838.88
02/20 14401	12034044	2177.130 (BUS9311-GN/LI)	1011	\$310.00	\$5,528.88
02/20 14402	12034044	2177.130 (BUS9311-GN/LI)	1111	\$510.00	\$5,018.88
02/20 14403	12034044	2177.130 (BUS9311-GN/LI)	1311	\$210.00	\$4,808.88
02/21 1221	11193042	PG2005-01US	2253	\$525.00	\$4,283.88
02/21 1481	11964747	2642.089	8021	\$40.00	\$4,243.88
02/21 1528	11193042	3105.003	8021	\$40.00	\$4,203.88

02/21	1664	11964744	2642.088	8021	\$40.00	\$4,163.88
02/21	1889	10496096	2582.006	2253	\$525.00	\$3,638.88
02/21	1958	61030046	0794.109P	2005	\$105.00	\$3,533.88
02/21	2116	11943975	2642.082	8021	\$40.00	\$3,493.88
02/21	3801	10180445	1974.009	2252	\$230.00	\$3,263.88
02/21	7782	E-REPLENISHMENT		9203	-\$5,000.00	\$8,263.88
02/21	82	77010607	2855.001	6004	\$150.00	\$8,113.88
02/21	10245	7014578	2784.003	8021	\$40.00	\$8,073.88
02/21	12072	11329274	LE A 33 820 D3	1252	\$460.00	\$7,613.88
02/21	12647	29264458	1428.048	2502	\$410.00	\$7,203.88
02/21	12648	29264458	1428.048	8001	\$30.00	\$7,173.88
02/21	12763	29264472	1428.049	2502	\$410.00	\$6,763.88
02/21	12764	29264472	1428.049	8001	\$30.00	\$6,733.88
02/21	12929	29264471	1428.050	2502	\$410.00	\$6,323.88
02/21	12930	29264471	1428.050	8001	\$30.00	\$6,293.88
02/21	13353	E-REPLENISHMENT		9203	-\$5,000.00	\$11,293.88
02/22	820	12030327	3102.001	8021	\$40.00	\$11,253.88
02/22	2645	10533826	2488.014	2252	\$230.00	\$11,023.88
02/22	3141	11416570	0701.224J	1252	\$460.00	\$10,563.88
02/22	3142	11416570	0701.224J	1801	\$810.00	\$9,753.88
02/22	8083	61030585	2642.098P	2005	\$105.00	\$9,648.88
02/22	130	2541871		6205	\$400.00	\$9,248.88
		START	SUM OF	SUM OF	END	
		BALANCE	CHARGES	REPLENISH	BALANCE	
		\$8,511.86	\$65,512.98	\$66,250.00	\$9,248.88	

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